Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Environmental Protection
Division for Air Quality
200 Fair Oaks Lane, 1st Floor
Frankfort, Kentucky 40601
(502) 564-3999

FINAL

AIR QUALITY PERMIT
Issued under 401 KAR 52:020

Permittee Name:	**Jim Beam Brands Company, Inc.**
Mailing Address:	**526 Happy Hollow Road, Clermont, KY 40110**
Source Name:	**Jim Beam Brands Clermont Distillery**
Mailing Address:	**526 Happy Hollow Road** **Clermont, KY 40110**
Source Location:	**526 Happy Hollow Road**
Permit:	**V-08-029**
Agency Interest:	**450**
Activity:	**APE20080001**
Review Type:	**Title V, Construction / Operating**
Source ID:	**21-029-00005**
Regional Office:	**Frankfort Regional Office** **643 Teton Trail** **Frankfort, KY 40601** **(502) 564-3358**
County:	**Bullitt**
Application Complete Date:	**October 9, 2008**
Issuance Date:	**March 31, 2009**
Revision Date:	
Expiration Date:	**March 31, 2014**

E-signed by John S. Lyons

John S. Lyons, Director
Division for Air Quality

Revised 05/07/07

TABLE OF CONTENTS

	Permit type	Log or Activity#	Complete Date	Issuance Date	Summary of Action
V-03-039	**TitleV/Synthetic Minor**	**55910**	**8/25/03**	**3/3/04**	**Permit Renewal**
V-03-039 R1	**TitleV/Synthetic Minor**	**APE20060001**	**8/20/06**	**8/29/06**	**Minor Revision**
V-03-039 R2	**TitleV/Synthetic Minor**	**APE20060003**	**1/22/07**	**3/12/07**	**Minor Revision**
V-03-39 R3	**TitleV/Synthetic Minor**	**APE20070001**	**5/13/07**	**10/16/07**	**Minor Revision**
V-08-029	**Title V/Synthetic Minor**	**APE20080001**	**7/8/08**	**3/31/09**	**Permit Renewal**

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction/operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and received a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emissions Unit 01 (01-001, 01-002 & 11-001) Grain Handling Operations

Description:
Equipment includes: Truck unloading/receiving hopper, conveyors (drag-chain & screw), bucket elevators, storage silos and unpaved roads.
Control Equipment: Enclosures
Maximum operating rate: 1026 tons/day
Construction commenced: 1974

APPLICABLE REGULATIONS:
401 KAR 63:010, Fugitive emissions is applicable to each affected facility which emits or may emit fugitive emissions and is not elsewhere subject to an opacity standard within the administrative regulations of the Division for Air Quality.

1. **Operating Limitations:**
   a) Pursuant to 401 KAR 63:010, Section 3, reasonable precautions shall be taken to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, when applicable, but not be limited to the following:
      1. Application and maintenance of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which can create airborne dusts.
      2. Installation and utilization of hoods, fans, and fabric filters to enclose and vent the emissions generated from the processing of dust generating materials, or use of water sprays or other measures to suppress the dust emissions during handling.

   b) Pursuant to 401 KAR 63:010, Section 3, discharge of visible fugitive emissions beyond the property line is prohibited.

2. **Emission Limitations:**
   None

3. **Testing Requirements:**
   None

4. **Specific Monitoring Requirements:**
   Pursuant to 401 KAR 52:020 Section 26, the permittee shall monitor the amount of grain received and processed on a monthly basis.

5. **Specific Record Keeping Requirements:**
   Records of grain received and processed shall be maintained on a monthly basis.

SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. Specific Reporting Requirements:

See Section F.

7. Specific Control Equipment Operating Conditions:

a) Pursuant to 401 KAR 50:055 Section 2 (c), the enclosures used to control fugitive emissions shall be operated to maintain compliance with applicable requirements in accordance with manufacturer's specifications and/or standard operating practices.

b) Pursuant to 401 KAR 59:005 Section 3 (4), records regarding the maintenance of the control equipment shall be maintained.

c) See Section E.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emissions Unit 02 (02-001 and 03-001) Fermentation Process

Description:
Equipment includes: Fermentation and distilling process
Construction commenced: 1974

APPLICABLE REGULATIONS:
None

1. **Operating limitations:**
   None

2. **Emission limitations:**
   None

3. **Testing Requirements:**
   None

4. **Specific Monitoring requirements:**
   Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor bushels of grains processed on a monthly basis.

5. **Specific Record keeping Requirements:**
   Pursuant to 401 KAR 52:020, Section 26, records of bushels of grains processed shall be maintained on a monthly basis.

6. **Specific Reporting Requirements:**
   See Section F.

7. **Specific Control Equipment Operating Conditions:**
   None

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emissions Unit 03 (03-002) Spent Grain Drying

Description:
Equipment includes: Turbo-venturi dryer and process cyclone collectors
Control Equipment: Scrubber
Dryer rating: 17.5 MMBtu/hour
Primary fuel: Natural Gas
Secondary fuel: Propane
Maximum operating rate: 3.85 tons/hour dried grain.
Construction commenced: 1970.

APPLICABLE REGULATIONS:
401 KAR 61:020, Existing process operations, applicable to an emission unit that commenced prior to July 2, 1975.

1. **Operating Limitations:**
   None

2. **Emission Limitations:**
   a) Pursuant to 401 KAR 61:020, Section 3(2)(a), particulate emissions into the open air shall not exceed [4.10 (P) $^{0.67}$] lbs/hour based on a three-hour-average, where P is the processing rate in tons/hour of dried grain averaged on a monthly basis. Compliance with the allowable particulate standard may be demonstrated by calculating particulate emissions using grain processing rates, emission factor information, and scrubber control efficiency as follows:

   PM Emissions (lbs/hour) from grain drying = (lbs / ton controlled emission factor from most recent stack test) x (grain processing rate in tons/hour)

   b) Pursuant to 401 KAR 61:020, Section 3(1)(a), visible emissions shall not equal or exceed 40% opacity based on a six-minute-average.

3. **Testing Requirements:**
   Pursuant to 401 KAR 50:045, the permittee shall conduct a stack test for particulate emissions by the start of the fourth year of this permit (or the fourth year from the last stack test) to demonstrate compliance with the applicable standard.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

4. Specific Monitoring Requirements:

a) Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the processing rate and hours of operation on a monthly basis.

b) Pursuant to 401 KAR 52:020, Section 26, the permittee shall perform a qualitative visual observation of the opacity of emissions from the stack on a weekly basis and maintain a log of the observations. If visible emissions from the stack are seen, the permittee shall determine the opacity of emissions by U.S. EPA Reference Method 9 and instigate an inspection of the control equipment for any necessary repairs.

5. Specific Record keeping Requirements:

Pursuant to 401 KAR 52:020, Section 26, records of grain processed and hours of operation shall be maintained on a monthly basis.

6. Specific Reporting Requirements:

See Section F.

7. Specific Control Equipment Conditions:

a) Pursuant to 401 KAR 50:055 Section 2 (c), the wet scrubber shall be operated to maintain compliance with permitted emission limitations in accordance with the manufacturer's specifications and/or standard operating practices.

b) Pursuant to 401 KAR 59:005 Section 3 (4), records regarding the maintenance of the wet scrubber shall be maintained.

c) See Section E.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emissions Unit 04 (03-004, 03-005) Dried Grain Storage Silos

Description:
Equipment includes: Three dried grain storage silos and associated process cyclones
Control Equipment: Baghouse
Maximum operating rating: 3.85 tons/hour
Construction commenced: 1990

APPLICABLE REGULATIONS:
401 KAR 59:010, New process operations, applicable to an emissions unit that commenced on or after July 2, 1975.

1. **Operating Limitations:**
   None

2. **Emission Limitations:**
   a) Pursuant to 401 KAR 59:010, Section 3(2), particulate emissions from the stack shall not exceed $[3.59 (P)^{0.62}]$ lbs/hour based on a three-hour-average, where P is the processing rate in tons/hour. Compliance with the allowable particulate standard may be demonstrated by calculating particulate emissions using grain processing rates, emission factor information, and baghouse control efficiency as follows:

   b) Pursuant to 401 KAR 59:010, Section 3(1)(a), any continuous emissions into the open air shall not equal or exceed 20% opacity based on a six-minute-average.

   The permittee shall assure continuing compliance with the particulate emissions and opacity limitations by ensuring proper operation of baghouses. Proper operation of baghouses can be ensured by fulfilling visual observation as specified in monitoring requirements below.

3. **Testing Requirements:**
   None

4. **Specific Monitoring Requirements:**
   a) Pursuant to 401 KAR 52:020, Section 26, the permittee shall perform a qualitative visual observation of the opacity of emissions from the stack on a weekly basis and maintain a log of the observations. If visible emissions from the stack are seen, the permittee shall determine the opacity of emissions by U.S. EPA Reference Method 9 and instigate an inspection of the control equipment for any necessary repairs.

   b) Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the grain processing rate and hours of operation on a monthly basis.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Recordkeeping Requirements:
Pursuant to 401 KAR 52:020, Section 26, records of grain processed and hours of operation shall be maintained on a monthly basis.

6. Specific Reporting Requirements:
See Section F.

7. Specific Control Equipment Operating Conditions:

a) Pursuant to 401 KAR 50:055 Section 2 (c), the baghouse shall be operated to maintain compliance with permitted emission limitations in accordance with manufacturer's specifications and/or standard operating practices.

b) Pursuant to 401 KAR 59:005 Section 3 (4), records regarding the maintenance of the baghouse shall be maintained.

c) See Section E.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emissions Unit 05 (05) Barrel Filling, Aging, and Dumping

Description:
Equipment includes: Barrel filling stations, product aging in warehouses, and barrel dumping.
Construction commenced: Prior to 1970

APPLICABLE REGULATIONS:
None

1. **Operating Limitations:**
   None

2. **Emission Limitations:**
   None

3. **Testing Requirements:**
   None

4. **Specific Monitoring Requirements:**
   Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the barrels stored on a yearly basis.

5. **Specific Recordkeeping Requirements:**
   Pursuant to 401 KAR 52:020, Section 26, the barrels stored shall be recorded on a yearly basis.

6. **Specific Reporting Requirements:**
   See Section F.

7. **Specific Control Equipment Operating Conditions:**
   None

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emissions Unit 06 (06-2 through 06-4, 07-1, and 08-1) Processing and Bottling Operations.

Description:
Equipment includes: Holding, Processing, bottling tanks; bottle filling and pipeline component & peripheral equipment.
Construction commenced: Prior to 1995
Equipment Added: Four inside tanks (6000 gallons each) and three outside tanks (2-30,000 gallons, and 1-36,000 gallons)
Construction commenced: 2006
Equipment Added: two processing tanks (37,500 gallons each)
Construction commenced: 2008

APPLICABLE REGULATIONS:
None

1. **Operating Limitations:**
   None

2. **Emission Limitations:**
   None

3. **Testing Requirements:**
   None

4. **Specific Monitoring Requirements:**
   Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the proof gallons processed on a yearly basis.

5. **Specific Recordkeeping Requirements:**
   Pursuant to 401 KAR 52:020, Section 26, records of the proof gallons processed shall be maintained on a yearly basis.

6. **Specific Reporting Requirements:**
   None

7. **Specific Control Equipment Operating Conditions:**
   None

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emissions Unit 07 (09-001) Natural-Gas Fired Indirect Heat Exchanger

Description:
Horizontally-opposed natural gas unit (Boiler # 3).
Maximum continuous rating: 95.2 MMBtu/hour
Secondary fuel: #2 fuel oil
Tertiary fuel: #6 fuel oil.
Construction commenced: 1970

APPLICABLE REGULATIONS:
401 KAR 61:015, Existing indirect heat exchangers, applicable for an emissions unit with a capacity of 250 MMBtu/hour or less and commenced before April 9, 1972.

1. **Operating Limitations:**
   To preclude applicability of 401 KAR 51:017, Prevention of Significant Deterioration of Air Quality, source-wide emissions of sulfur dioxide shall not exceed 225 tons in any twelve (12) consecutive months.

2. **Emission Limitations:**
   Each unit is considered to be in compliance with the PM, SO_2, and opacity standards while burning natural gas, and in compliance with the SO_2 limit while burning fuel oil as long as the sulfur content of the fuel oil is less than or equal to 0.5% by weight. If fuel oil of over 0.5% sulfur is used, the Division shall be notified immediately and a compliance demonstration will be required.

   a) Pursuant to 401 KAR 61:015, Section 4(1), particulate emissions shall not exceed 0.41 lb/MMBtu based on a three-hour-average. Compliance with the allowable particulate standard may be demonstrated by calculating particulate emissions for each respective fuel using fuel oil usage rates, vendor's specifications, fuel analysis, and emission factor information:

      No. 2 fuel-oil - SCC 1-02-005-01
      PM Emissions (lb/MMBtu) from combustion of No. 2 fuel-oil = (U.S. EPA approved or AP-42 emission factor: 2 lbs / 10^3 gallons) / (heating value from fuel analysis in MMBtu/ 10^3 gallons); and

      No. 6 fuel-oil - SCC 1-02-004-01
      PM Emissions (lb/MMBtu) from combustion of No. 6 fuel-oil = (U.S. EPA approved or AP-42 emission factor: [(9.19(S) + 3.22) lbs / 10^3 gallons] / (heating value from fuel analysis in MMBtu/10^3 gallons) where S is the percent weight sulfur in the fuel oil.

   b) Pursuant to 401 KAR 61:015, Section 4(3), emissions shall not exceed 40% opacity based on a six-minute-average.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

c) Pursuant to 401 KAR 61:015, Section 5(1), sulfur dioxide emissions shall not exceed 4.0 lbs/MMBtu based on a twenty-four-hour average. Compliance with the allowable sulfur dioxide standard may be demonstrated by calculating sulfur dioxide emissions for each respective fuel using fuel oil usage rates, fuel analysis, and emission factor information:

No. 2 fuel-oil - SCC 1-02-005-01
SO_2 Emissions (lb/MMBtu) from combustion of No. 2 fuel-oil = (U.S. EPA approved or AP-42 emission factor: 142S lbs / 10^3 gallons) / (heating value from fuel analysis in MMBtu/10^3 gallons).

No. 6 fuel-oil - SCC 1-02-004-01
SO_2 Emissions (lb/MMBtu) from combustion of No. 6 fuel-oil = (U.S. EPA approved or AP-42 emission factor: 157S lbs / 10^3 gallons) / (heating value from fuel analysis in MMBtu/ 10^3 gallons).

3. Testing Requirements:
Pursuant to 401 KAR 50:045, the permittee shall conduct a stack test for particulate matter, oxides of nitrogen, carbon monoxide, hydrogen chloride, and sulfur dioxide by the start of the fourth year of this permit (or the fourth year from the last stack test) to demonstrate compliance with the applicable standard.

4. Specific Monitoring Requirements:

a) Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the amount of each fuel burned on a monthly basis.

b) Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the heat content and sulfur content of the fuel oil burned on a monthly basis. The permittee may use fuel supplier certification to meet this requirement.

c) Pursuant to 401 KAR 52:020, Section 26, tons of sulfur dioxide emissions due to No. 2 or No. 6 fuel oil usage shall be calculated for each month using the total No. 2 or No. 6 fuel oil usage rate and the average fuel oil heat and sulfur content for that month.

d) Pursuant to 401 KAR 52:020, Section 26, the permittee shall perform a qualitative visual observation of the opacity of emissions from the stack on a weekly basis when burning fuel oil and maintain a log of the observations. If visible emissions from the stack are seen, the permittee shall determine the opacity of emissions by U.S. EPA Reference Method 9 and instigate an inspection of the control equipment for any necessary repairs.

5. Specific Recordkeeping Requirements:

a) Pursuant to 401 KAR 52:020, Section 26, records of each fuel burned shall be maintained on a monthly basis.

b) Pursuant to 401 KAR 52:020, Section 26, fuel analysis for each fuel burned shall be

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

maintained on a monthly basis.

c) Pursuant to 401 KAR 52:020, Section 26, the permittee shall maintain records of the monthly and rolling twelve (12) month total sulfur dioxide emissions.

6. Specific Reporting Requirements:

a) Pursuant to 401 KAR 52:020, Section 26, if fuel oil is burned in the unit, the permittee shall submit semi-annual reports including the fuel supplier certification and a certified statement signed by the owner or operator of the affected facility that the records of the fuel supplier certifications submitted represent the fuel oil combusted during that six month period.

b) See Section F.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emissions Unit 08 (09-002) Coal-Fired Indirect Heat Exchanger

Description:
Spreader-stoker coal fired unit with flyash reinjection (Boiler #1)
Control Equipment: Baghouse & Lime injection system; Lime injection system not yet calibrated
Maximum continuous rating: 99 MMBtu/hour
Secondary fuel: Natural gas
Construction commenced: 1985
Equipment Modified: Steam-operated vacuum ash pulling system replaced with similar design. Wet ash unloader replaced by dry ash unloader
Construction commenced: 2008.

APPLICABLE REGULATIONS:
401 KAR 59:015, New indirect heat exchangers, applicable to an emissions unit with a capacity of less than 250 MMBtu/hour which commenced on or after April 9, 1972.

40 CFR Part 64, Compliance Assurance Monitoring (CAM) (For Hydrogen Chloride and PM)

NON-APPLICABLE REGULATIONS:
401 KAR 51:017, Prevention of Significant Deterioration of Air Quality. Permittee has elected to accept voluntary federally enforceable operating and emission limitations to preclude applicability of these standards.

Section 112 (j) of the Clean Air Act. The permittee has elected to accept voluntary federally enforceable operating and emission limits to preclude the applicability of these standards.

1. **Operating Limitations:**
   a) To preclude applicability of 401 KAR 51:017, Prevention of Significant Deterioration of Air Quality, source-wide emissions of sulfur dioxide shall not exceed 225 tons in any twelve (12) consecutive months.

   Compliance Demonstration:
   Monthly sulfur dioxide emissions can be calculated using the following formula:

$$Sulfur\ dioxide\ emissions\ (tons) = \frac{EF\ (lbs / SCC\ units) \times monthly\ \ fuel\ use\ (SCC\ units)}{2000\ (lbs / ton)}$$

   EF = emission factor from AP-42 Section 1 (coal= 38S lbs/ton)
   SCC units = tons

   To demonstrate compliance with this emission limitation, the twelve-month rolling total shall be calculated monthly and reported semi-annually (see Section F). The permittee shall maintain onsite a log of the 12-month rolling total available for review by the Division.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

b) To preclude applicability of CAA Section 112(j), source-wide emissions of hydrogen chloride shall not exceed 9.0 tons in any twelve (12) consecutive months.

c) To preclude applicability of Section 112(j) of the Clean Air Act source-wide usage rate of coal shall not exceed 15,000 tons per year (12 month rolling total) and shall further be restricted so emission limitations, as set forth in Section D – Source Emission Limitations and Testing Requirements, for hydrogen chloride (HCl) and total HAPs are not exceeded.

d) See Section D.

2. Emission Limitations:

a) Pursuant to 401 KAR 59:015, Section 4(1)(c), particulate emissions shall not exceed 0.286 lb/MMBtu based on a three-hour-average.

b) Pursuant to 401 KAR 59:015, Section 4(2)(b), emissions shall not exceed 20% opacity based on a six minute average, except that a maximum of 40% opacity, based on a six minute average, shall be permissible for not more than 6 consecutive minutes in any consecutive 60 minutes during cleaning the fire-box or blowing soot.

c) Pursuant to 401 KAR 59:015, Section 5(1)(c), sulfur dioxide emissions shall not exceed 1.81 lb/MMBtu based on a twenty-four-hour-average.

Compliance Demonstration:

The permittee may assure compliance with the sulfur dioxide standard by calculating sulfur dioxide emissions using the following formula:

$$Sulfur\ Dioxide\ Emissions\ (lb/MMBtu) = \left[\frac{EF\ (lb/ton) \times S}{Heating\ value\ of\ coal\ (MMBtu/ton)} \right]$$

EF = 38, emission factor from U.S. EPA AP-42
S = percent sulfur in coal

d) In order to preclude CAA 112 (j), source-wide emissions of hydrogen chloride shall not exceed 9.0 tons in any twelve (12) consecutive months.

e) While burning natural gas this unit is considered to be in compliance with PM, HCl, SO_2, and opacity standards.

3. Testing Requirements:

a) Pursuant to 401 KAR 50:045, the permittee shall submit a schedule within eighteen months from the issuance of the final permit #V-08-029 to conduct at least one performance test for particulate matter, oxides of nitrogen, carbon monoxide, hydrogen chloride, and sulfur dioxide within five years of April 3, 2007, the date of the previous performance test.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

The permittee has stated intentions to perform tests to calibrate a lime injection emissions control system for hydrogen chloride. When test results have been analyzed to provide an equation to describe the performance of the control system in terms of the relationship between the rate of lime injection and the amount of hydrogen chloride reduced, then the permittee may submit for a Permit Revision to remove the 15,000 ton per year limit on coal consumed.

b) Pursuant to 401 KAR 50:045, performance tests used to demonstrate compliance with the particulate matter and sulfur dioxide standard shall be conducted according to approved U.S. EPA reference methods. The HCl emission rate shall be determined using EPA Reference Method 26. The performance tests shall be conducted using coal of lesser or equal heat content than that which will be burned for production, and greater or equal ash content, sulfur content, and chlorine content.

4. Specific Monitoring Requirements:

a) Pursuant to 40 CFR 64.6, Compliance Assurance Monitoring, Table 1 (see below) shows the monitoring approach for particulate matter (PM). The permittee shall conduct this monitoring and fulfill all other obligations specified in 40 C.F.R §§ 64.7 through 64.9.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

TABLE 1 - MONITORING APPROACH

Applicable CAM Requirement	PM/PM_{10} limits
General Requirements	(1) 0.286 lb/MMBtu filterable particulate limit, based on a 3-hour average
	(2) Less than 20% Opacity except (1) maximum of 40% opacity for not more than 6 consecutive minutes in any consecutive 60 minutes during cleaning the fire-box or blowing soot, and (2) during boiler startup when manufacturer's recommendations are followed.
Monitoring Methods and Location	(1) Differential pressure across the baghouse shall be monitored; proper operation of the baghouse shall be maintained. (2) Daily visual observations of the stack plume shall be performed. USEPA reference Method 9 shall be performed if visual emissions are observed.
Indicator Ranges The permittee may adjust the indicator ranges pursuant to 40 CFR 64.7 (e) based on results from subsequent performance tests for PM compliance and with the Division's approval.	(1) The baghouse has an operating range of 1-10" (w.c.) of pressure drop, in accordance with manufacturer's specifications. An inspection of the baghouse shall be performed if pressure drops occur outside the operating range. Baghouse cleaning will begin at 6.50" w.c. differential pressure and stop at 3.50" w.c. differential pressure. (2) The presence of visible emissions during normal boiler operations shall require the permittee to initiate opacity monitoring in accordance with USEPA Reference Method 9. The permissible indicator range for Method 9 readings shall be 0 – 20% opacity.
Data Collection Frequency	(1) Baghouse differential pressure is recorded continuously on an ISQL server. (2) Visual observations of the stack plume are performed daily when the boiler is operating. USEPA Reference Method 9 observations are collected and an inspection of the baghouse is performed when visible emissions from the stack are observed.
Averaging Period	(1) Baghouse differential pressure readings records from the ISQL server will be analyzed to show pressure drop as a function of time. Pressure drop values will be marked on a scaled axis if a graph is used. Exceedances and excursions of the operating range will be specifically identified. Analysis of the baghouse differential pressure readings will be included in the semiannual report. (2) Reference method 9 readings, if required, shall be reported as 6-minute averages.
Recordkeeping	(1) Baghouse operating parameters shall be maintained for a period of 5 years. (2) Daily visual observations and Method 9 readings (if any) shall be maintained for a period of 5 years.
QA/QC	(1) An excursion for PM emissions shall be defined as (1) three consecutive baghouse differential pressure readings outside the operating range listed above in a rolling 24-hour period and (2) one six minute average opacity reading collected using USEPA Reference Method 9 that is above the opacity limit mentioned above. (2) The permittee shall initiate an investigation and take corrective action for each excursion. (3) The Quality Improvement Plan (QIP) threshold for baghouse pressure drop is 5 excursions within a rolling 3-month period. This threshold level is 5 percent (5%) of the total 24-hour data recording periods. The QIP threshold for Method 9 observations is either (1) 4 excursions in a rolling 3-month period or (2) 3 consecutive weekly excursions. (4) If the QIP threshold is triggered in a semiannual reporting period, a QIP shall be developed and implemented. Baghouse monitoring parameters will be maintained and operated in accordance with manufacturer recommendations. Records of Method 9 certifications will be maintained. Differential pressure instrumentation will be calibrated a minimum of once per year. The baghouse will be externally inspected daily and internally inspected at least once per year. Records of all inspections and calibrations will be maintained.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

b) Pursuant to 40 CFR §64.7(e), new indictor ranges for the CAM Plan may be reestablished from subsequent stack tests, with approval by the Division.

c) Pursuant to 401 KAR 52:020, Section 26, the permittee shall perform a qualitative observation of the opacity emissions from the stack on a daily basis and maintain a log of the observations. If visible emissions from the stack are seen, then the opacity shall be determined by EPA Reference Method 9 and if the opacity reading is greater than 20 percent, then the permittee must initiate an inspection of the equipment for any repairs.

d) Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the sulfur, chlorine, and heat content of each shipment of coal received. The permittee may use approved EPA or ASTM test methods or fuel supplier certification to meet this requirement.

e) Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the amount of coal burned on a monthly basis.

f) Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the average lime feed rate (lb/hr) and lime usage (tons) on a monthly basis.

5. Specific Recordkeeping Requirements:

a) Pursuant to 401 KAR 52:020, Section 26, records of fuel burned shall be maintained on a monthly basis.

b) Pursuant to 401 KAR 52:020, Section 26, records of the results of the analyses of sulfur content and heat content shall be maintained for each shipment of coal received.

c) Pursuant to 401 KAR 52:020, Section 26, the permittee shall maintain records of the monthly and rolling twelve (12) month total sulfur dioxide emissions.

d) Pursuant to 401 KAR 52:020, Section 26, the permittee shall maintain records of the monthly and rolling twelve (12) month total hydrogen chloride emissions.

6. Specific Reporting Requirements:

a) See Section F.

7. Specific Control Equipment Conditions:

a) Pursuant to 401 KAR 50:055 Section 2 (c), the baghouse and lime injection system shall be operated as necessary to maintain compliance with permitted emission limitations in accordance with manufacturer's specifications and/or standard operating practices.

b) Pursuant to 401 KAR 59:005 Section 3 (4), records regarding the maintenance of the baghouse and lime injection system shall be maintained.

c) See Section E.

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emissions Unit 09 (09-003) Natural Gas-Fired Indirect Heat Exchanger

Description:
Natural gas-fired horizontally-opposed indirect heat exchanger (Boiler#4)
Maximum continuous rating: 25.1 MMBtu/hour
Secondary fuel: #2 fuel oil.
Construction Commenced: 1986

APPLICABLE REGULATIONS:
401 KAR 59:015, New indirect heat exchangers, applicable to an emissions unit with a capacity of less than 250 MMBtu/hour which commenced on or after April 9, 1972.

1. **Operating Limitations:**
   In order to ensure non-applicability of 401 KAR 51:017 (Prevention of Significant Deterioration of Air Quality), the emissions of sulfur dioxide shall not exceed 36 tons in any twelve (12) consecutive months.

2. **Emission Limitations:**
   a) While burning natural gas, this unit is considered to be in compliance with PM, SO_2 and opacity standards.

   b) Pursuant to 401 KAR 59:015, Section 4(1)(c), particulate emissions shall not exceed 0.28 lb/MMBtu based on a three-hour-average. Compliance with the allowable particulate standard may be demonstrated by calculating particulate emissions using fuel oil usage rates, fuel analysis, and emission factor information:

      No.2 Fuel oil - SCC 1-03-005-01
      PM Emissions (lb/MMBtu) from combustion of fuel oil = (U.S. EPA approved or AP-42 emissions factor: 2.0 lbs / 10^3 gallons) / (heating value from fuel analysis in MMBtu/10^3 gallons).

   c) Pursuant to 401 KAR 59:015, Section 5(1), sulfur dioxide emissions shall not exceed 0.84 lb/MMBtu based on a twenty-four-hour average. Compliance with the allowable sulfur dioxide standard may be demonstrated by calculating sulfur dioxide emissions using fuel oil usage rates, fuel analysis, and emission factor information:

      No.2 Fuel oil - SCC 1-03-005-01
      SO_2 Emissions (lb/MMBtu) from combustion of fuel oil= (U.S. EPA approved or AP-42 emission factor: 142S lbs / 10^3 gallons) / (heating value from fuel analysis in MMBtu / 10^3 gallons).

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

d) Pursuant to 401 KAR 59:015, Section 4(2)(b), emissions shall not exceed 20% opacity based on a six minute average, except that a maximum of 40% opacity based on a six minute average, shall be permissible for not more than 6 consecutive minutes in any consecutive 60 minutes during cleaning the fire-box or blowing soot.

3. Testing Requirements:

Pursuant to 401 KAR 50:045, the permittee shall conduct a stack test for particulate matter, oxides of nitrogen, carbon monoxide, hydrogen chloride, and sulfur dioxide by the start of the fourth year of this permit (or the fourth year from the last stack test) to demonstrate compliance with the applicable standard.

4. Specific Monitoring Requirements:

a) Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the heat content and sulfur content of the fuel oil burned on a monthly basis. The permittee may use fuel supplier certification to meet this requirement.

b) Pursuant to 401 KAR 52:020, Section 26, tons of sulfur dioxide emissions due to No. 2 fuel oil usage shall be calculated for each month using the total No. 2 fuel oil usage rate, and the average fuel oil sulfur and heat content for that month.

c) Pursuant to 401 KAR 52:020, Section 26, the permittee shall perform a qualitative observation of the opacity emissions from the stack on a weekly basis and maintain a log of the observations. If visible emissions from the stack are seen, then the opacity shall be determined by EPA Reference Method 9 and if the opacity reading is greater than 20 percent, then the permittee must initiate an inspection of the equipment for any repairs.

5. Specific Recordkeeping Requirements:

a) Pursuant to 401 KAR 52:020, Section 26, records of gallons of No. 2 fuel oil burned each month shall be maintained.

b) Pursuant to 401 KAR 52:020, Section 26, records of the sulfur and heat content of fuel oil burned shall be maintained on a monthly basis.

c) Pursuant to 401 KAR 52:020, Section 26, the permittee shall maintain records of the monthly and rolling twelve (12) month total sulfur dioxide emissions.

6. Specific Reporting Requirements:

See Section F.

7. Specific Control Equipment Operating Conditions:

None

SECTION B EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emissions Unit 10 (12-001) Wastewater Treatment Process

Description:
Equipment includes: Wastewater treatment system, supporting tanks, dikes, berms, and pipeline equipment.
Maximum continuous rating: 0.345 million gallons/day
Storm surge: 0.646 million gallons/day
Construction Commenced: 1989

APPLICABLE REGULATIONS:
None

1. **Operating Limitations:**
   None

2. **Emission Limitations:**
   None

3. **Testing Requirements:**
   None

4. **Specific Monitoring Requirements:**
   Permittee shall monitor the gallons of wastewater treated on a yearly basis.

5. **Specific Recordkeeping Requirements:**
   Gallons of wastewater treated shall be recorded on a yearly basis.

6. **Specific Reporting Requirements:**
   See Section F.

7. **Specific Control Equipment Operating Conditions:**
   None

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. Although these activities are designated as insignificant the permittee must comply with the applicable regulation. Process and emission control equipment at each insignificant activity subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

Application Emission Point No.	Description	Generally Applicable Regulations
01-003	Grain Receiver Cyclone	401 KAR 61:020
01-004	Grain Receiver Cyclone	401 KAR 61:020
01-005	Grain Receiver Cyclone	401 KAR 61:020
01-006	Grain Unloading	401 KAR 63:010
02-002	Low Wine Condenser	NA
02-003	High Wine Condenser	NA
02-004	Heads/Tails Tank	NA
02-005	Retention Tank	NA
02-006	Surge Tank	NA
02-007	Cistern Tanks	NA
02-008	Still Bottle Vent	NA
02-009	Still Bottle Vent	NA
02-010	Stripper Still Pressure Relief	NA
02-011	Converter Vacuum Relief	NA
02-012	Doubler Bottle Vent	NA
03-003	Aerator Cyclone	401 KAR 59:010
03-006	Distiller's Dry Grain Loading	401 KAR 59:010
06-001	Regauge Area Tanks	NA
06-003	Process Tanks	NA
07-002	Labeling	NA
07-003	Jet Coding	NA
09-004	Ash Handling Baghouse	401 KAR 59:010
09-005	Wetted Ash Loading	401 KAR 59:010
09-006	Coal Handling	401 KAR 63:010
09-007	Cooling Tower	401 KAR 63:010
09-008	Fuel Oil Storage Tank	NA
10-001	Pump House Diesel Storage Tank	NA
10-002	Kerosene Storage Tank	NA
10-003	Wood Terminal Diesel Storage Tank	NA
10-004	Gasoline Storage Tank	NA
12-002	Sulfuric Acid Tank	NA
13-001	Mobile Sources (forklifts, tractors, vans, & flatbed trucks)	401 KAR 63:010
14-001	Maintenance Activities (degreasers, painting, and coating)	NA
14-004	Two Diesel fire pumps	NA

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

2. Particulate matter, sulfur dioxide, hydrogen chloride, and visible emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.

3. To preclude applicability of 401 KAR 51:017, Prevention of Significant Deterioration of Air Quality, total source-wide emissions of sulfur dioxide shall not exceed 225 tons per year based on a twelve month rolling total.

   Compliance Demonstration:
   Monthly sulfur dioxide emissions can be calculated using the following formula for each fuel burned:

$$Sulfur\ dioxide\ emissions\ (tons) = \frac{EF\ (lbs / SCC\ units) \times monthly\ \ fuel\ use\ (SCC\ units)}{2000\ (lbs / ton)}$$

   EF = emission factor from AP-42 Section 1 (coal= 38S lbs/ton, natural gas = 0.6 lbs/MMSCF, No.2 fuel oil = 142S lbs/1000 gallons, No.6 fuel oil = 157S lbs/ 1000 gallons)
   SCC units = tons for solid fuels, 1,000 gallons for liquid fuels, MMSCF for gaseous fuels

   To demonstrate compliance with this emission limitation, the twelve-month rolling total shall be calculated monthly and reported semi-annually (see Section F). The permittee shall maintain onsite a log of the 12-month rolling total available for review by the Division.

4. For Emission Unit 09 (09-003) sulfur dioxide emissions shall not exceed 36 tons in any twelve (12) consecutive months.

5. To preclude applicability of Section 112(j) of the Clean Air Act, beginning September 13, 2007 source-wide emissions of a single Hazardous Air Pollutant (HAP), hydrogen chloride, shall not exceed 9.0 tons in any consecutive twelve-month period and source-wide emissions of total HAPs shall not exceed 22.5 tons in any consecutive twelve-month period. Monthly HAP emissions can be calculated using the following equations:

$$Hydrogen\,chloride\,emissions\,(tons) = \frac{monthly\,coal\,usage\,(tons) \times EF\ (lbs / ton)}{2000\,(lbs / ton)}$$

   EF = emission factor from AP-42 Section 1 (currently 1.2 lbs/ton), this may be changed through subsequent stack testing and with the revision to this permit

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

$Total\ HAPs = \sum_k HAP_k\ (tons)$, where $k = coal, natural\ gas, No.2\ fuel\ oil$ and

$$HAP_k\ (tons) = \frac{monthly\ \ fuel\ usage_k\ (SCC\ units) \times EF_{Total,k}\ (lbs / SCC\ units)}{2000\ (lbs / ton)}$$

$EF_{Total,k}$ = sum of all HAP emission factors from AP-42 for each *k* (coal = 1.36 lbs/ton, natural gas = 1.89 lbs/MMSCF No. 2 fuel oil = 0.5 lbs/10^3 gallons, and No. 6 fuel oil = 0.034 lbs/10^3 gallons, from AP-42 sections 1.1, 1.4 and 1.3, respectively)
SCC units = tons for solid fuels, 1,000 gallons for liquid fuels, MMSCF for gaseous fuels

To demonstrate compliance with these emission limitations, the twelve-month rolling totals shall be calculated monthly and reported semi-annually (see Section F).

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
   a. Date, place as defined in this permit, and time of sampling or measurements;
   b. Analyses performance dates;
   c. Company or entity that performed analyses;
   d. Analytical techniques or methods used;
   e. Analyses results; and
   f. Operating conditions during time of sampling or measurement.

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b-IV-2 and 1a-8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
   a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
   b. To access and copy any records required by the permit:
   c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

   Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.

7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
   a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
   b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.

8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Deviations from permit requirements, including those previously reported under F.7 above, shall be included in the semiannual report required by F.6 [Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
   a. Identification of the term or condition;
   b. Compliance status of each term or condition of the permit;
   c. Whether compliance was continuous or intermittent;
   d. The method used for determining the compliance status for the source, currently and over the reporting period.
   e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications shall be mailed to the following addresses:

Division for Air Quality
Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, KY 40601

U.S. EPA Region 4
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960

Division for Air Quality
Central Files
200 Fair Oaks Lane, 1st Floor
Frankfort, KY 40601

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

   a. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 Section 3(1)(b) and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to termination, revocation and reissuance, revision or denial of a permit [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020 Section 26].

   b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

   c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
      (1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
      (2) The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
      (3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;
      (4) New requirements become applicable to a source subject to the Acid Rain Program.

      Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

   d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a- 7 and 8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

   e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:020 Section 3(1)(c)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].

g. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

h. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

i. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens. [Section 1a-15-b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

j. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a-10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

k. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3) 2.].

l. This permit does not convey property rights or exclusive privileges [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

m. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.

n. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3) 4.].

o. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3) 1.].

p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic

SECTION G - GENERAL PROVISIONS (CONTINUED)

Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

q. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
   (1) Applicable requirements that are included and specifically identified in the permit and
   (2) Non-applicable requirements expressly identified in this permit.

2. Permit Expiration and Reapplication Requirements

a. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:020, Section 12].

b. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:02+0 Section 8(2)].

3. Permit Revisions

a. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).

b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

4. Construction, Start-Up, and Initial Compliance Demonstration Requirements

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, the new ash pulling/unloading system and two new 37,500 gallon processing tanks in accordance with the terms and conditions of this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)

a. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.

b. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the Division's Frankfort Central Office, notification of the following:
   (1) The date when construction commenced.
   (2) The date of start-up of the affected facilities listed in this permit.
   (3) The date when the maximum production rate specified in the permit application was achieved.

c. Pursuant to 401 KAR 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.

d. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the Cabinet.

e. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. Testing must also be conducted in accordance with General Provisions G.5 of this permit.

f. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

5. Testing Requirements

a. Pursuant to 401 KAR 50:045 Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to

SECTION G - GENERAL PROVISIONS (CONTINUED)

the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.

b. Pursuant to 401 KAR 50:045 Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.

c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements
If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

7. Emergency Provisions

a. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
   1. An emergency occurred and the permittee can identify the cause of the emergency;
   2. The permitted facility was at the time being properly operated;
   3. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
   4. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
   5. This requirement does not relieve the source of other local, state or federal notification requirements.

b. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

8. Ozone Depleting Substances

a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
   (1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
   (2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
   (3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
   (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
   (5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
   (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

9. Risk Management Provisions

a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

   RMP Reporting Center
   P.O. Box 1515
   Lanham-Seabrook, MD 20703-1515.

b. If requested, submit additional relevant information to the Division or the U.S. EPA.

SECTION H - ALTERNATE OPERATING SCENARIOS

NONE

SECTION I - COMPLIANCE SCHEDULE

NONE